

Attachment E

Resolution No. 159-02

RESOLUTION NO. 159-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE ADOPTING AN AMENDMENT TO THE 1972
GENERAL PLAN OF THE CITY OF SUNNYVALE, AS
AMENDED, MODIFYING THE LAND USE AND
TRANSPORTATION ELEMENT TO ADD A NEW LAND USE
CATEGORY AND CHANGE THE LAND USE DESIGNATION FOR
FUTURES SITES 7 & 8 FROM "INDUSTRIAL TO RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL" TO "INDUSTRIAL TO
RESIDENTIAL MEDIUM TO HIGH DENSITY RESIDENTIAL"**

WHEREAS, pursuant to City Council directive, the Department of Community Development has conducted a study of land uses and zoning in the area of the City north of Highway 101, south of State Route 237 and west of the Lawrence Expressway to examine the potential effects of rezoning the sites from industrial to residential, in light of concerns about the current housing shortage and the lack of adequate neighborhood serving commercial centers in the north part of the City; and

WHEREAS, as a result of study, the Department of Community Development has proposed an amendment to the Land Use and Transportation Element of the 1972 General Plan of the City of Sunnyvale, as amended, which would create a new land use category to permit the development of medium to high density housing and up to 140,000 square feet of neighborhood serving commercial space in Futures Sites 7 and 8; and

WHEREAS, the City has prepared a mitigated negative declaration in compliance with the requirements of the California Environmental Quality Act (CEQA) which determines adoption of the general plan amendment, as mitigated, will have no significant negative impact on the area's resources, cumulative or otherwise; and

WHEREAS, the Planning Commission held a noticed public hearing on the proposed amendment on June 10, 2002, and recommended that the City Council amend the General Plan as proposed; and

WHEREAS, the City Council pursuant to published notice held a public hearing on July 16, 2002, concerning the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council finds and determines that the amendment conforms with and contains the requirements provided for in the "Uniform Planning and Zoning Code of the City of Sunnyvale," constitutes a suitable and logical change in

the plan for physical development of the City of Sunnyvale, and is in the public interest.

2. The 1972 General Plan of the City of Sunnyvale, as amended, and more particularly the Land Use and Transportation Element, is amended in the following manner:

(a) APPENDIX A - RELATIONSHIP OF GENERAL PLAN LAND USE CATEGORIES WITH ZONING CATEGORIES, FIGURE A.1: GENERAL PLAN AND ZONING CATEGORIES, is amended by adding a new subcategory under the section described as "Industrial to Residential" as shown:

Industrial to Residential	
Low Medium	Industrial to Residential (ITR/R-0, R-1, R1.5, R-1.7/PD, R-2/PD)
Medium	Industrial to Residential (ITR/R-3/PD)
Medium to High	Industrial to Residential (R-3, R-4/ITR/PD)

(b) Appendix B - Special Land Use Plans, "The Futures Study," page B-2, is amended by adding the following section after the section entitled "Intensification:"

Futures Sites 7 and 8, 2002 Update

The City conducted a further study of Futures Sites 7 and 8 in 2002, and concluded that a range of residential densities from medium to high and up to 140,000 square feet of neighborhood-serving commercial space would best serve these particular sites. In July 2002, the City Council adopted a mitigated negative declaration and the staff recommendation to create a new land use category for Futures Sites 7 and 8, described as "Industrial to Residential, Medium to High," to allow the development of both medium and high density housing and neighborhood commercial in those areas. The Council also adopted a zoning code amendment at the same time rezoning some of the property in the sites to R-4/PD high density residential planned development.

(c) The 1972 General Plan of the City of Sunnyvale, and more particularly the "Land Use and Transportation Map" map, is hereby amended to change from "Industrial to Residential (Medium Density)" designation to "Industrial to Residential (Medium to High Density)" designation, certain property shown on the map attached and incorporated by this reference.

3. The City Council has independently reviewed and considered the information contained in the initial study upon which the mitigated negative declaration is based, certifies that the mitigated negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the mitigated negative declaration reflects the independent judgment of the City of Sunnyvale. The Director of Community Development shall file a Notice of Determination with the County Clerk pursuant to Title 14, California Code of Regulations Section 15075.

4. The City Clerk is directed to file a certified copy of the amendment to the 1972 General Plan of the City of Sunnyvale with the Board of Supervisors and the Planning Commission of the County of Santa Clara and the planning agency of each city within the County of Santa Clara. The City Clerk is directed further to file a certified copy of the amendment with the legislative body of each city, the land of which may be included in the plan. The filing of a certified copy of this resolution constitutes compliance with this section.

Adopted by the City Council at a regular meeting held on July 16, 2002, by the following vote:

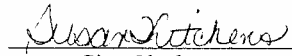
AYES: VALERIO, VORREITER, WALKER, MILLER, RISCH, HOWE, FOWLER

NOES: NONE

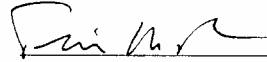
ABSENT: NONE

ATTEST:

APPROVED:



City Clerk
(SEAL)



Mayor

